

Pro: Proker
THE
TRYAL
AND
EXECUTION
OF
Father HENRY GARNET,
Superior Provincial
OF THE
JESUITS
IN
ENGLAND
FOR THE
Powder-Treason.

Collected

By ROGER WIDDRINGTON a Roman Catholic ; And by him addressed unto Pope Paul the Fifth ; Printed in Latin 1616. in his *Appendix* to his *Humble Supplication*, p. 124, and thence Translated.

Now Published to make it further evident ; that it is no new thing for Jesuits to curse and ban, to justify a Lie.

L O N D O N,

Printed for Jonathan Robinson, at the Golden Lyon in St. Paul's Church-Yard. 1679.

To the Reader.

HAVING observed that in one of the late Trials, it did appear by one of the Witnesses, that the Jesuits old flax is still alive in some of their mouths, viz. that the Powder-Plot was but a trick of Cecil's (as Ireland told Mr. Jennifson) to bring an Odium upon the Papists, I have thought good to give here an account of the Trial and Execution of Father Garnet, written by a Learned and Eminent Roman Catholick, the Truth of which he had confirmed to him by many others of the same profession, who were eye and ear witnesses of what he writes; and which he addressed unto the Pope himself: and therefore I presume he may be accounted by Papists a more impartial Relater, then if he had been a person in other circumstances, or had not told it the Pope to his face to keep him from being fallable in naming a Traytour; for the Author had said but a few lines before that Garnet had been lately inserted into the Catalogue of Holy Martyrs in the English Martyrology, made by one Wilfon, sometimes Scribe to Father Parsons in the English Colledge at Rome. I confess I have sometimes wondred at the wit, as well as the impudence of those men who think they have finely excused themselves by saying that Cecil trapan'd them into that Plot, (for that they were in it over head and ears, the present Relation shews) when as they might more truly have said that the Devil drew them into the Conspiracy, (as they said he discovered it) which would have been the better excuse of the two; by how much the Devil is a more subtle Seducer, and so it will be the less imputation of reproach to have been outwitted by him; but in laying the fault on Cecil, they do thereby but prove themselves as weak as wicked, and as much Fools as Knaves, and so renounce that Darling attribute of their Order. Upon this Narrative the Reader will (I doubt not) make many considerable Remarks; as for instance,

1. That it's no new thing for a Jesuit to curse and ban himself to justify a lie; and therefore less to be wondred that they should die with a lie in their mouths now.

2. That one Reason of their so doing is, because they think the contrary cannot be prov'd against them; or, upon their Execrations of themselves, will not be believed to be true.

3. That they have a certain Doctrine of Equivocation among themselves, how far, and when it may be made use of, which unless others knew too, they cannot tell how far or when to trust them; but if they did know, the trick would become useless and ridiculous.

4. That the Society is greatly improved since those times, especially in the Forehead vein, for here poor Garnet is said to have blusht, when found in a lie, and to have confest his fault; but his Successors had so much of the White, that no Red could be seen; they are now got above such childish passions, as our late Trials and Executions have given us abundant Testimony.

5. That all Papists were not in the Plot Then, as 'tis hop'd they are not Now; but what they might have been after the blow given, we know not; but as then 'twas disown'd when it succeeded not, so now deny'd that it may go on; but I shall leave the Reader to make his own further Observation.

THE
TRIAL
 AND
EXECUTION

Of Father

HENRY GARNET, &c.

Father *Henry Garnet*, being at that time Superiour-provincial of the Jesuits in *England*, was in a Publick Court of Judicature held by many Peers of the Realm, and those Privy Counsellours to our Serene King (many thousands of men, and among them many Roman Catholics being present) arraigned and condemned, and afterward executed for being a contriver of, or consentor to, or at least privy to that most horrible Powder-Treason.

There were many proofs offer'd to the twelve Jury-men (who by the English Custom are to pass their Verdict, whether the Prisoner at the Bar be guilty or not of the Crimes whereof he is accused, before the Judge may pass his Sentence) by the King's Council and other Lord's appointed by the King, who sat upon the Bench, which did prove the said Father *Garnet* guilty of contriving, or consenting to, or at least being privy to the aforementioned Treason.

And because it would be too tedious to reckon up in particular all those proofs which were taken and objected against him, both out of letters written with his own hand, and produced by the King's Council, and also out of his own free Confession, which he had before his Trial made unto the Lord's Delegates who examin'd him, and sign'd with his own hand; (for, which is very considerable, he was not compelled to discover the truth by putting him to any kind of torture, which yet is usual in all other Nations, but they only took those things in writing, which he of his own accord would confess) And lastly, out of the Testimonies of the Conspirators themselves (and Mrs. *Anne Vaux*, one very intimate and familiar with him) all which are apparently to be seen partly in the Publick Records, since printed by Authority, and partly in the Answer of the Bishop, then of *Chichester*, now of *Ely* to *Matthew Tormus*, who doth examine the matter with great accuracy: Therefore I shall

content my self to relate only some few things of many, which I have heard confirmed to me by Roman Catholicks, who were present at his Trial, which he either was publickly convicted of, or confessed himself in open Court. And which may be abundantly sufficient, for your Holiness to make a clear Judgment from them, whether Father *Garnet* be to be accounted a true Martyr of Christ, and to have suffered for righteousness sake, or else a very Traytor, and to have suffered for his own demerits; or else, being neither Martyr nor Traytor, he were condemned of that Powder Conspiracy unjustly only, and without sufficient Evidence. *First of all* therefore there were very many proofs offered to the Jury, which did seem to prove evidently, that Father *Garnet* was privy to the said Conspiracy, and therefore himself did in open Court before all present confess,

1. That he had had some notice of the *Plot* in the general, even out of Confession, from *Catesby*, who was the principal Conspirator; when he came to Father *Garnet* to ask his advice, whether it were lawful in any case to destroy the innocent together with the guilty; which (said Father *Garnet*) at first I thought to be but an idle question, though indeed afterwards I did suspect that he had some ill design in his mind; and yet to this question he gave his Resolution, *viz.* That without doubt a man might lawfully destroy the innocent together with the nocent, if the doing of it might produce so much good as might countervail the death of some innocent persons.

2. He confessed also that he could have known the whole Plot in particulars from *Catesby*, who would have made to him a particular Narrative of his Design, which yet *Garnet* would not listen unto. But Father *Garnet* affirmed that he did desire *Catesby* once and again to acquaint the Pope with his undertaking. To which *Catesby* returned this Answer, that he would not learn the Pope's mind of him, which himself did not at all doubt of.

3. He confessed that he had heard the whole Conspiracy in Particulars from the Jesuit Father *Oswald Trefmond*, alias *Greenwel*, whom he strictly enjoined, (said Father *Garnet*) both to desist from the Enterprize himself, and to use his utmost endeavour that the rest of the Conspirators should proceed no further.

But to this his Answer the King's Attourney thus replied; that this Confession was not true, but feigned and shifting, and only palliated under the pretext of Confession, seeing that about this Confession Father *Garnet* had notoriously shuffled before the Lords Delegates: For being commanded to answer seriously whether or no he had really in Confession heard the whole matter in Particulars; *I answer* (saith Father *Garnet*) *that as we were walking*, *Trefmond* alias *Greenwel* declared the whole matter under the greatest *seal*; which I understood of the *seal* of Confession, though he perhaps might mean some other less *seal*; neither can I affirm it for certain that he did intend to declare what he did in way of Confession.

Then the Earl of *Salisbury* said, that there was no credit to be given to his bare Affirmation or Negation, seeing that Father *Garnet* had formerly before the Lords Delegates been convicted of manifest perjury to his own great blushing and confusion. For when after his secret discourse with *Oldcorn* the Jesuit (alias *Hall*) (which yet was over-heard by some) he was asked by the Lords Delegates, and desired to answer without Equivocation, whether or no he had had any conference with Father *Oldcorn* in the Prison; Father *Garnet* did peremptorily deny it upon his Salvation, which he repeated with such horrid Imprecations (said the Earl) that he seemed to wound the ears of those that
heard

heard him. And yet so soon as Father *Oldcorn* confest that he had discoursed with him, Father *Garnet* blushed, asking pardon of the Lords Delegates, and confessed himself to have sinned, unless Equivocation could relieve him. And afterward the same Earl asked Father *Garnet* that he would produce but so much as one Argument besides his own simple Negation, which might persuade a prudent man to believe that he was not consenting to the Conspiracy: to whom Father *Garnet* answered not a word.

In the second place, That Father *Garnet* was not only privy, but also consenting to the Conspiracy, these among others were the proofs.

1. His Silence and concealing of it, having heard it in the general from *Catesby*, (and might also have heard it in particular but refused) yet did not reveal it. For he that conceals what he ought to discover, is said to consent to it; and he which doth not hinder what he might, and ought to hinder, by revealing it, it is manifest that he is consenting to it.

2. The Father *Tesmond's* and Father *Gerrard's* (both Jesuits) and the rest of the Conspirators persisting in the Plot; who did wholly depend upon the Authority of those Fathers, especially *Garnet*, in this wicked Enterprize; as also the words of Father *Oldcorn* the Jesuit to *Humphrey Littleton*, when (after the Conspiracy was discovered) he told him that *Catesby* and others were miserably wounded by the suddain firing of Gun-powder, and that he was heartily sorry that the pains of so many days was now vanished into smoke; and was come to so lamentable an issue; whom Father *Oldcorn* had not to take it so much to heart, nor judge of the Equity of the Cause by the Event. For, the *Eleven Tribes of Israel* (and those) gathered together at God's command, did twice joyn battle with their Brethren of the Tribe of *Benjamin*, yet both times they lost the day. And *Saint Lewis King of France* raised a vast Army, and went to the Holy War against the *Sarazens*, though he had a good Cause, yet was he conquered, and his Army routed. The *Christians* also that so stoutly defended *Rhodes* against the Assaults of the *Turks*, yet were they constrained to resign the City to the Enemy.

For, all these things do seem to make it sufficiently manifest, that Father *Garnet* did not truly and really detest that Conspiracy, nor cordially command Father *Tesmond* and Father *Gerard* to desist from it; since it is not likely, unless they had well understood that Father *Garnet* did consent to that Conspiracy, that they durst have persisted in so horrid a wickedness, which, if it were once discovered, would prove the Ruine of their whole Society here in *England*; and this, contrary to the command of their Superior. But Nor that Father *Oldcorn* should dare to commend it as a good Enterprize even after it was discovered.

Thirdly; (to conclude) that Father *Garnet* was not only privy and consenting to that Treason, but also an Adviser of it; these among others were the Reasons brought to prove.

First, The shewing to *Catesby* of two Apostolick Letters or Briefs of Pope *Clement the Eighth* (which were sent to Father *Garnet*) wherof one was directed to our Beloved Sons the *Catholick Princes and Nobles*; the other, To our Beloved Son the *Arch-Priest*, and the rest of the *Clergy of England*. In which Letters the Pope exhorts the English *Catholicks*, that after the death of *Queen Elizabeth* they should not admit of any to the Crown of *England*, how near soever he were in blood, but only such an one as would not only Tolerate, but with all his might Promote the *Catholick Faith*, and *More Majorum*, give his Oath that he would perform it.

For, by these Letters was *Catesby* confirmed in his wickedness, thus arguing from them. Those who might then be kept out, may now be cast out again. It is as lawful now to hinder the King from enjoying, as it was then to hinder him from entering; but then *Clement* would have us Catholics to have hindered his obtaining, and therefore now it shall be my care to look to this matter.

Secondly, The second was Father *Garnet's* Answer to the Question of *Catesby*, concerning the slaughter of the Innocent together with the Noeent. From these two did *Catesby* ground himself, and build all his Intentions upon them.

The Third, was the persistence of Father *Tesmond* and Father *Oldcorn* in their wicked Enterprize, and Father *Oldcorn's* commending it as a good Act, though now discover'd and unsuccessful, for it is not credible that they should dare to do so, unless they had ask'd the Advice, and known the mind of their Superiour, that is, Father *Garnet*, especially in a matter so weighty and so dangerous to their Society, as this might prove.

At length Father *Garnet* being much moved by the Speeches of the *Earl of Northampton*, and the *Earl of Salisbury*, brake forth into these words: That he had done more than he could form any just excuse for, And with I had never known the Business of this Powder-Treason; and at last he humbly besought God and the King, that the other Catholics might not fare the worse for his sake.

Out of these and many other Arguments (which for brevity sake I mention not) it seems to be plain, that the Jury, and the Lord Chief Justice (to whom it belongs to pronounce Sentence of Life or Death) might deservedly think, that Father *Garnet* having had notice of the Treason (and that out of Confession) and yet not revealed it, and seeing it was his own fault that he had not particular notice of it, that so he might have revealed it, and since that to make it appear that he had particular notice of it, in Confession only, there is nothing but his own simple Assertion (to which in this matter credit ought not to be given; especially seeing he was before convicted of perjury) was, if not a Counsellor of and Consenter to, yet at least privy to that Treason which he did not reveal; and therefore according to the Ancient Laws of England, Guilty of High-Treason.

Wherefore, all the Arguments and Proofs of what had been said and done, together with Father *Garnet's* Answers, being heard and referred unto the Jury's Verdict, who brought him in Guilty of the Charge laid against him; The Lord Chief Justice pronounced this Sentence against him, that he should be drawn, hanged and quartered.

Then the *Earl of Salisbury* ask'd Father *Garnet* if he had any more to say: To which he Answered; No my Lord, but I humbly beseech your Lordships to recommend my Life unto the King, at whose command I am most ready to die, or to live and do him service.

And these things were transacted in the publick Tryal of Father *Garnet* at his Arraignment, which I have recited faithfully, though perhaps not all in the same Order wherein they were done. But of what passed at his Execution, this is the Sum which follows.

Being brought to the Place of Execution, and having ascended the Scaffold which was set up on purpose; Sir *Henry Mountague* Recorder of the City of London (being commanded by the King to be there present) asked Father *Gar-*

nor if he had any thing to impart to the People that stood about him, telling him that it was no time now to dissemble, since his Crimes were manifest unto all; and therefore if he pleased he might testify to all, what he thought concerning his own Condition, and his Crimes; for he should have free leave, if he had any thing to say. Father Garnet answered, that his voice was so low, and his strength so spent, that, if he should speak to the People, he could not be heard. But to those that stood by him on the Scaffold, he said, *that it was a wicked Plot, and the Design was so horrid, that if it had taken effect, he could not but have detested it from his very soul*; adding that he only knew of it in general from *Catesby*, and yet herein he had offended that he had concealed it, and neglected to prevent it; but what he knew particularly of it, he said, he had heard it only under the Seal of Confession.

But the Recorder admonished him that he would remember these four things the King had by him in writing, signed by Father Garnet's own hand, *viz.*

1. That *Greenwel* (or *Tesmond*) had signified the matter to him, not as a sin, but as that which he before was acquainted with, and to the intent that he might ask his advise about it.

2. That *Catesby* and *Tesmond* came to him that they might be confirmed in their wicked undertaking.

3. That *Tesmond* and he had a good while after, had a Conference in *Essex* concerning the Particulars of the Gun-Powder-Treason.

4. That *Tesmond* had asked Father Garnet, who was to be Protector of the Kingdom? and Father Garnet answered him; *That was to be respite'd till the matter was done and over.*

These things shew that these wickednesses were known to you otherwise than by Confession; and these things are under your own hand. Father Garnet answered, *whatsoever is under my hand is true; and because he had not discovered to his Majesty what he knew, Sentence of death had justly been passed on him, and he begged pardon of his Majesty for it.*

Then said Father Garnet, *I am come hither on this day which is the Feast of the Invention of the Holy Cross, to put an end to all the Crosses which I have suffered in my Life. You are not ignorant of the cause of my suffering; I confess I have offended against the King, and am sorry for it. So far as I was guilty of the Plot, viz. in concealing it, and for this I humbly beseech his Majesty to forgive me. The Plot against the King and Kingdom was bloody, and such as if it had been Executed, I should have detested with all my heart and soul. And truly I am very much grieved and troubled that Catholics should ever undertake so horrid and cruel wickedness.*

Then turning from the People to them that stood about him, he made an Apology for the *Lady Anne Vaux*; and as concerning the Pope's Briefs, and *Edmund Bainbrun's* going beyond Sea; and the Powder-Plot, he referred himself to his Arraignment and his Confessions, for whatsoever he had confessed and given under his hand, was true.

And then preparing himself for death, he kneeled down at the Ladder's foot, by which he was to ascend the Gallows, and asked if he might pray, and how long? it was answered, that he might pray as long as he would, and that none should interrupt him.

When he had risen up again; The Recorder observing by his Gesture, that he was discomposed by earnest expectation of a Pardon, bid him not to de-

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ceive himself, and his own soul, for he was brought thither to die, and die he must; withal requiring him that he would not Equivocate now with his last Breath, but if he knew any thing that might be prejudicial to the King or Kingdom, that he would declare it.

Father Garnet answered, *This is no time to Equivocate*; how far forth it's lawful to Equivocate, and when, I have already declared my Opinion elsewhere: but now I do not Equivocate, and I know no more than I have confessed.

Being now upon the Gallows, he used these words; *I recommend my self to all good Catholicks; and I pray God to protect the King's Majesty, the Queen, the Royal Issue, and the Lords of the Privy Council; whom I salute most officiously, and with whom I am sorry that I should dissemble. But I did not think they had had those Proofs against me which they had, until they produced them: For then I thought it a greater honour to confess, than before to have accused my self.*

As for my Brother Telfond, I wish that the Truth may appear, for false rumours would fasten more upon him than he is guilty of: I had never accused him, had I not thought he had been got out of danger. I pray God, the Catholicks may not fare the worse for my sake; and I exhort them all, that they never have any hand in such Treasons and Rebellions against the King.

Then signing himself with the sign of the Cross, and commending himself to the Holy Trinity, and the Blessed Virgin, the Ladder being turn'd, he ended his Life.

And all this (*most blessed Father*) was transacted, not in secret huggemugger, but openly, and as it were upon the Stage, partly at his Publick Tryal in the Chamber of London, before five Illustrious Earls, who were commissioned to judge in the Case, and who had for their Assessors (besides the Lord Mayor of London) three Chief Judges of the Kingdom, and in the presence of an almost infinite number of men, among whom many were Roman Catholicks; partly at his Execution in the midst of the City before the gate of St. Pauls, to which also there was a great conflux of People assembled; So that your Holiness, if you should doubt of the truth of any thing here related, and will not give credit to so great a multitude of Protestants, (who, it's no way likely, should speak falsely in a thing so Publick, and concerning which they might easily be convinced of falsehood (if any were) by so many Roman Catholicks who were present both at the Tryal and Execution) yet by those Roman Catholicks themselves, who were not Conspirators; but are much grieved that those Fathers should have an hand in so horrid a wickedness, because of the great detriment and scandals which from thence have befallen the Catholick Religion; While they are yet alive, you may easily be informed of the very truth of the several Particulars which I have related, which I my self have heard from Catholicks themselves, who were present at the Transactions.